# MINUTES March 4, 2003

The State Board of Registration for Professional Engineers and Land Surveyors met on March 4, 2003 in Room 102 of the Professional Licensing Boards office at 237 Coliseum Drive, Macon, GA 31217.

### **BOARD MEMBERS PRESENT:**

John H. Sweitzer - Chairman Robert T. Armstrong Torben S. Madson Richard K. Little E. Charles Vickery William W. Dean Gloria B. Ransom

### **BOARD MEMBERS ABSENT:**

Tom D. Moreland Guy F. Ritter

### **STAFF PRESENT:**

J. Darren Mickler – Executive Director Julie Busbee – Board Secretary Ajay Gohil – AG Representative

### **OTHERS PRESENT:**

Gordon Story, representing AGS
Joseph Savage
Tom Hurley
Trent Turk, President of Surveying and Mapping Society of Georgia
Lane S. Bishop
Robert S. Carden, Sr.
Keith Kilby
Dwight Kilby
Robert W. Hurley, III

### Call to order:

Chairman Sweitzer called the meeting to order at 9:30 am and presented a proposed agenda.

Mr. Madson moved to enter into Executive Session to discuss allegations of misconduct against Board staff and the Board chairman. Mr. Armstrong seconded. Motion carried.

Open Session reconvened at 10:10 am with Chairman Sweitzer, Mr. Dean, Mr. Armstrong, Dr. Ransom, Mr. Little, Mr. Vickery and Mr. Madson in attendance.

Mr. Little moved to adopt the January 14, 2003 minutes. Mr. Madson seconded. Motion carried.

Mr. Madson moved to adopt the February 5, 2003 minutes. Mr. Dean seconded. Motion carried.

### **Professional Societies and Guests:**

Chairman Sweitzer recognized the designated representative of each professional society and other visitors present.

## 5. Executive Director's Report:

Mr. Mickler reported on the recent NCEES Board Administrators and Presidents Assembly that he and Mr. Sweitzer attended in Anchorage, Alaska. He relayed that the three topics of discussion he participated in were exam security, tracking of EIT's and LSIT's and ABET credentials. Ms. Ransom asked Mr. Mickler for more information on testing through NCEES.

#### **Old Business:**

# 6.1 Southern Zone Meeting – April 27-29, 2006 in Georgia:

Mr. Little and Mr. Mickler have attempted to talk with the NCEES representative who handles the arrangements for the Southern Zone meeting, but that person is busy with the current year's meeting arrangements now. They will continue to establish dialogue. Mr. Dean asked if there was a schedule of milestones and deadline dates to follow.

## 6.2 Southern Zone Meeting – March 20-23, 2003 in Charleston:

Mr. Mickler reported that since the January, 2003 Board meeting when reported that only two Board members would be funded to attend the Southern Zone Meeting in Charleston, now there are no funds available for any out-of-state travel. Mr. Sweitzer asked if the budget had been reduced or if money has been reallocated. Mr. Dean asked if the Board members could pay their own way and still attend. He further stated that he thought it was really bad that the Board members and staff could not attend because attending allows Georgia to vote on issues that are discussed and networking with the other states' representatives lends ideas.

## 6.3 NCEES Annual Conference – August 14-17, 2003 in Baltimore, MD:

Mr. Mickler reported that the same budget cuts would probably effect the Board's attendance at this meeting as well.

? The discussion regarding budget led to Mr. Little asking if the Board meetings that have been set up for Brasstown in May and Douglas in November would still be allowed. Mr. Mickler will find out and let the Board know. Mr. Madson moved to have Mr. Mickler e-mail Secretary of State Cathy Cox to express the Board's displeasure and concern about the Board not being able to attend the NCEES meetings and the Board meetings possibly not being held in alternate cities than Atlanta or Macon. Mr. Little seconded. Motion carried.

## 6.4 Review of Quality Based Selections (Mini-Brooks Act):

Ajay Gohil, Assistant Attorney General discussed offering bids for public projects. Mr. Little commented that the Mini-Brooks Act was enacted in the 1980's or early 1990's. At the time, there was some discussion about ethics of bidding and only accepting a bid in areas of competence.

## **6.5** Electronic Stamping for State Agency:

At the January meeting, Mr. Earl Ferguson requested that the Board consider an exemption of electronic signatures on plans submitted to the Department of Community Affairs under the Industrialized program. Mr. Gohil recommended not to exempt, since the general provisions of the statute allows for exemptions to be requested on an individual basis per project.

### **New Business:**

### 7.1 Report on Board Rules Review Committee:

Mr. Sweitzer reported that the Board Rules Review Committee met and discussed the rules that the Board has referred to them. He stated that the committee determined that the existing law, O.C.G.A. § 43-15-2(6), defining "land surveying" inhibits the committee from changing the hydrology rule; therefore, the legislature is now working on changing the law. Mr. Armstrong moved to send the legislature suggested language as follows:

Amend 43-15-2(6) as follows (<u>underlines</u> are additions and <del>strikethroughs</del> are deletes to current law):

(D) The <u>design</u>, platting and layout, incidental to subdivisions <u>of any tract of land by a land surveyor</u>, of: <u>grading</u>, <u>erosion control</u>, <u>storm drainage pipes and culverts</u>, <u>and water distribution or gravity sanitary collection sewer extensions therein</u>, <u>provided that the design and installation of such water distribution or gravity sanitary sewer extensions shall conform to local ordinances and regulations and shall be subjected to the review and approval of the local government or its engineer;</u>

## 1. Grading plans and site plans

- 2. Erosion and sediment control plans, including detention ponds, provided that no impoundment shall be designed on a live (perennial) stream, and that it:
  - a. contain no more than 5 acre-fee of water storage at maximum pool (top of dam), and be no more that 10 feet in height for a dry storage pool, or
  - b. contain no more than 3 acre-feet of water storage at maximum pool (top of dam), if the height is more than 10 feet but less than 13 feet for a dry storage pond, or
  - c. be more more than 6 feet in height for a permanent (wet) storage pond.
- 3. Storm water management plans and facilities, including hydrologic studies, and temporary sediment ponds, provided that the contributing drainage area shall not be larger that 100 acres.
- 4. Extension of existing water distribution piping and gravity sewers (8 inch diameter or smaller), provided that off site length shall not exceed 1000 feet, the design and construction of which shall conform to the local government ordinances and regulations and such extensions shall be subjected to the review and approval of local government which has been delegated approval authority by the Georgia Environmental Protection Division.

Mr. Vickery seconded. Voting by show of hands, motion carried with Mr. Madson opposed. Following input from the public and representatives from the professional societies, Mr. Madson moved to amend to allow for more review before it is sent to the legislature. Motion died for lack of second.

Mr. Madson expressed concern that the agenda of the Rules Review Committee did not include all of the rules that the Board referred to them to study. Mr. Madson moved to add the following rules to the Rules Review Committee agenda:

180-6-.03, Rules of Practice

180-7-.02, Land Titles and Location

180-7-.03, Horizontal Measurements

180-7-.07, Maps and Plats

180-12-.02, Sealing of Documents

180-1-.02, Hydrology

Mr. Dean seconded. Motion carried.

? Mr. Madson left the meeting at 11:30 am.

## 7.2 Report of Status of Investigations of Complaint Cases:

Cognizant Board Members have met with Billy Dunford in Enforcement to discuss the status of the Board's complaint cases.

### 7.3 Board Rule 180-2-01

Mr. Armstrong moved to post this rule regarding general rules of applications. Dr. Ransom seconded. After some discussion, Mr. Armstrong amended his motion to forward the rule to Mr. Gohil for review and recommendation. Dr. Ransom seconded. Motion carried.

## 7.4 Board Rule 180-9-.04

Mr. Armstrong moved to post this rule regarding the definition of a Cognizant Board Member. Motion died for lack of second.

## 7.5 Board Rule 180-7-.04(3)

Mr. Armstrong moved to post this rule regarding technical standards for property surveys. Dr. Ransom seconded. Motion carried.

## 7.6 Board Rule 180-7-.01

Mr. Armstrong moved to post this rule regarding adding the words "Plat Act" to the rule for technical standards for property surveys. Mr. Dean seconded. After discussion and input from the public, motion failed with unanimous opposition.

## 7.7 Board Rule 180-9-.03

Mr. Armstrong moved to post this rule regarding using Robert's Rules of Order as Board meeting protocol. Mr. Little seconded. After discussion and agreement to use Robert's Rules of Order as a guide and not formally as a rule, the motion failed with unanimous opposition.

## 7.8 Board Rule 180-9-.02

Mr. Armstrong moved to post this rule regarding making the Rules Review Committee permanent. Motion died due to lack of second.

## 7.9 Repeal Board Rule 180-7-.07(1)(a)2

Mr. Armstrong moved to post this rule regarding technical standard of property surveys. Motion died due to lack of second.

# 7.10 Repeal <u>Board Rule 180-7-.07(1)(b)</u>

Mr. Armstrong moved to post this rule regarding technical standard of property surveys. Motion died due to lack of second.

## 7.11 Repeal Board Rule 180-7-.07(1)(c)

Mr. Armstrong moved to post this rule regarding technical standard of property surveys. Motion died due to lack of second.

## 7.12 Repeal Board Rule 180-7-.07(1)(d)

Mr. Armstrong moved to post this rule regarding technical standard of property surveys. Motion died due to lack of second.

## 7.13 Board Privatization Study Committee

Mr. Armstrong moved to appoint a committee to study privatizing the Board. Mr. Little seconded. After discussion, the motion failed with Mr. Little voting affirmative.

## 7.14 Answer to Letter of Delineation of Evidence

Mr. Mickler received a letter from Lane Bishop, LS requesting clarification on delineation of evidence in land surveys. Mr. Mickler sent an answer to Mr. Bishop based on recommendations from Mr. Armstrong, referencing Board Rule 180-7-.02. Chairman Sweitzer appointed Mr. Armstrong to draft another response and bring it to the next Board meeting for approval.

? Mr. Armstrong moved to adjourn for lunch at 12:20 pm and to reconvene at 1:30 pm in Executive Session. Dr. Ransom seconded. Motion carried.

# Reconvened Open Session at 3:45 pm with the following Board members present - Chairman Sweitzer, Mr. Armstrong, Mr. Dean, Dr. Ransom, Mr. Little, Mr. Vickery:

# **Investigations and Complaints**

<u>PELS01100010</u> – This case involved unlicensed practice of land surveying. A previous Cease and Desist Order has been sent to the respondent with a fine of \$10,000 and has not been signed. Mr. Armstrong moved to reduce the fine to \$5000. Dr. Ransom seconded. Motion carried.

<u>PELS0096</u> – This case involved an unlicensed county surveyor doing private surveys. A previous Cease and Desist Order has been sent to the respondent with a fine of \$1000 and has not been signed. Mr. Armstrong moved to eliminate the fine. Dr. Ransom seconded. Motion carried.

<u>PELS01200012</u> – This case involved a land surveying office and branch office operating under one licensee. A previous Cease and Desist Order has been sent to the respondent with a fine of \$5000 and has not been signed. Mr. Armstrong moved to reduce the fine to \$1000 and to open a Board-initiated complaint on the land surveyor. Dr. Ransom seconded. Motion carried.

<u>PELS01100119</u> – This case involved two respondents – one with allegations of unlicensed practice of land surveying and the other with allegations of assisting unlicensed practice of land surveying. A previous Cease and Desist Order was sent to the non-licensee with a fine of \$2500 and has not been signed. A previous Cease and Desist Order was sent to the licensee with a fine of \$10,000 and has not been signed. Mr. Dean moved to forward this case to the Attorney General's office. Dr. Ransom seconded. Motion carried.

<u>PELS030021</u> – This case involved a Superior Court judge accused of violating Georgia law as it pertains to land surveying. Mr. Armstrong moved to close this case with no action. Mr. Vickery seconded. Motion carried.

<u>PELS01010077</u> – This case involved a professional engineer with allegations of substandard practice involving the design of a cupola on a building. Mr. Dean recommended a letter of concern. Dr. Ransom seconded. Motion carried.

### **Board Memo Reinstatements**

Dr. Ransom moved to reinstate Robert N. Kenney, III PE010731. Mr. Dean seconded. Motion carried.

Mr. Vickery moved to reinstate Michael T. Harrelson, PE010724. Mr. Armstrong seconded. Motion carried.

### Rescheduling of Application Worksession

Mr. Mickler indicated that the staff will be completed with exam reviews by the end of the week and it would be beneficial to NCEES, applicants and staff if the worksession could be rescheduled to next week instead of March 25. Mr. Mickler will coordinate and e-mail the Board members when arrangements are made.

## ? Board Memo EIT Exam Applicants:

Applicants for certification as an Engineers-in-Training by examination whose degrees were earned in engineering or engineering technology programs which attained ABET/CAB accreditation within two years of their having received their degrees, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or substantive reasons, and who comply in every way with the provisions of the appropriate law(s), are as follows:

Boze man, Brian Robert	Bozeman, Maria Elizabeth	Britton, Keith Marcel
Brune, Matthew Kurt	Buchanan, Brett Ramsey	Daniel, Clifford Allen
Hardage, Jason Ashley	Hill II, Hiawatha	Javall, Sandra Marie
Johnson, Juan Antonio	Lenaeus, George Eric	Masood, Quazi Iftikhar
Moore, Jonathan Matthew	Pierce, James Patrick	Reifschneider, Brian Michael
Sharp, Christina Louise	Starling, Aaron David	Stone, Brandon Kyle
Uchil, Vinay Sunder	Vello, Kevin Anthony	

Mr. Dean moved to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). Dr. Ransom seconded. Motion carried.

## ? Board Memo Senior Exam Applicants:

Applicants for certification as an Engineers-in-Training by examination who are currently enrolled as seniors in ABET approved programs in schools, colleges or universities in Georgia, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or other substantive reasons, and in every way comply with the provisions of the appropriate law(s) are as follows:

### GEORGIA INSTITUTE OF TECHNOLOGY

### Civil & Environmental

Ball, Jason Kenneth
Davis, Rehema Safiya
Graves, Ryan Geoffrey Thomas
Hoenig, Christopher Andrew
Mayes, James Shelby
Mobley, Jason Wayne
Nitishin, Rebecca Ivy
Sandow, John Christopher
Shingler, Matthew Fletcher
Spivey, Michael Charles
Tait, Andrew
Weidenhammer, Bradley Allen

Blythe, Joshua Charles Deaton, James Benjamin Green, Jonathan Eric Jackson, Brian Alan Melvin, Ashley Marie Morgan, William Scott Pennington, Jon Daniel Schlueter, Andrew Wright Smith, Akopian Nijinski Swanson, Joel Fredrick Tempel, William Bennett Young, Elizabeth Jeanne Carter, Richard Harold Donley, Bobby Ray Hamilton, Brian Christopher Kim, JinYoung Miller, Lauren Margaret Moss, William Thomas Perry, Joshua Michael Shephard, Whitney Gail Smith, Don Raymond Swecker, Jessica Lynn Waldrop, William Grant

## Civil & Environmental

Chow, Hiuling Mansur, Mazen Ayyad Ramey, Jennifer Michelle

### GEORGIA INSTITUTE OF TECHNOLOGY

### Industrial & Systems Engineering

Carnes, Joshua Floyd Kim, Shin K.

Rivers, Jason Allen Spivey, Johnna Madelon

Reimer, Stacey Lenora

### **GEORGIA INSTITUTE OF TECHNOLOGY**

## Mechanical

Arnett, Daniel Curtis
Baronowski, John Adam
Cox Jr., Charles Walter
Dempsey, Daniel Reed
Fahmy, Muhammad Galal
Garner, Seth Alan
Hargrave-Thomas, Meghan Rae
Jennings, Jason Edward
Koontz, Christopher Randall
Lichtenauer, Lisa E.
Magda, Vilmos

Bagwell, Joshua Adam Case, Amelia Ann Crim, Jonathan David Dixon, Kathryn Ten Eyck Fragulis, George E. George Jr., Martin Scott Highsmith, Alicia Claire Johnson, Benjamin Lee Lemoine, Valentin Daniel Loyd, Eric Darren McVay, Scott Eric

Bailey, Benjamin D.
Chanani, Amar K.
Currin, Melanie Elizabeth
Dumas, Walter Joseph
Frisch, Andrew Harman
Gilbert, Brett Mitchell
Huang, Michael Chin-Jen
Joseph, Michael Samuel
Levine, Benjamin David
Lyles, Christopher Calby
Moye, James Everett

Myers, Benjamin Carl Parnell, Michael L. Rafter, Laura Ann Rudd, James Michael Shukla, Ashutosh Yugesh Spivack, Ian Foster Stella, Jonathan Matthew Whelchel, Bradley Scott Wood, Jennifer Powers Nelson, George Joseph Pearson, Christopher Lee Ramroop, Shamie Schafer, Heidi Elizabeth Singh, Sabrina Aminta Spotts, David Allen Tse, Lee Min Wilson, James Harris Yarbrough, Florence Louese L. Olayiwola, Nurudeen O.
Powers, George Trevor
Ross, Daniel L.
Shareef, Abdurrahman
Skene, Michael Alden
Stancill, Shawn Michael
Ward, Brandon Lee
Wilson, Gregory Hood
Youmans, Lenardo Bartholomew

# Mechanical

Evins, Joseph Lee Powner, Stephen Lee Gary, Justin Martin

Jordan, Matthew Douglas

## Electrical & Computer

Autin, David C. Battle, Julian Bradford Broussard, Robert Neil Candit, Matthew Ross Durkin, Christopher J. Garrick, Melanie Hester Griffis, Kevin Lee Hershberger, Kyle Mark Karia, Jinesh Vinod Kline, Andrew William Middleton, Michelle Ann Muumin, Mohammed Abdi Owens, Michael Shane Patrick, Justin Dennis Ruckheim, Jonathan David Sauro, Adam Charles Skinner, Todd Austin Styczynski, Michael Kenneth Ting, Wing-Lun Warren, Shane Michael

Aybar, Christian R. Boisen, Erik Sven Capper, Benjamin Mark Curbow, Ethan Kennon Evans, Scott Alan Gaw, Clifford Allen Gupta, Akhil Holman, Scott Allen Kastner, Shaun Michael Joseph Lvon, Emily Mary Monk, William Ridley Nayeem, Mustayeen Billah Patel, Bishan C. Phillips, Reed Bennett Samet, Jack Saul Sealey, Samuel Joseph Song, Kyuyeol Ta, Hien Chi Ventura, Rainieri G. Winston, Joshua Philip

Barton, Jr., Robert Michael Boyd, Brian Patrick Chen, Yi-Yi Das, Samir Kumar Fabery, Michael Anthony Gelb, Brian Mark Hannah, Kyle David Iszard, John Christopher Kelly, Kyo Rahsean Mazzolini, Nicholas Antony Moore, Robert Scott Nguyen, Trung H. Patel. Nihar S. Reagan, Jill Annette Sarris, Spiro George Shadid, Tamer Strickland, Andrew Jacob Tasker, Chirag R. Vukojevic, Aleksandar Wooden, David Thomas

## Regional Engineering Program

Britt, Jennifer Guest Sparks, Leslie Neil Gordon, Joel Christopher Withrow, John Wesley Smith, Thomas Gabriel

### SAVANNAH STATE

Ahmed, Ishtiaq

### **GEORGIA SOUTHERN**

Brown, Charles Trevor Hogan, Daniel Hays Peavy, Kalin Rodney Duggar, Wesley Randolph Hussey, Joel Marion Robinson, Merishia Katrina

Gunter, James Grant Owens, TerryLee Michael Rushing, Clayton Trevor

# SOUTHERN POLYTECHNIC STATE UNIVERSITY

Andrey, Trevor K. Baker, Jeremy J. Balinda, George Tom Beck Jr., Douglas Allen Bernard, Dave Bonilla, Marcos Alejandro Fermanich, Bradley Carl Gwinn, Jonathan Alan Harrell, Todd Simmons Hembree, Robert Michael Kerch, Joshua James La, Tung Minh Lakhani, Amanullah Lambert, William Kent Mann, Christopher Ronald Milner, III, Marcellus Moseley, Brent Allen Murphy, Brian Douglas Sahlu, Zelalem W. Weber, Carl Alexander Perez, Janet Williams, James Welsey Willson, Aaron Daniel Wilkey, Charles M.

Re-Take

Baum, Abdullah Ahmed Emmanuel, Peter Babawemimo Ford, Rustavius DeAngelo Niknejad, Ali Watkins, Matthew Earl

# **UNIVERSITY OF GEORGIA**

### **UGA-BSAE**

Bordoni, Luciano Alejandro Boyer, Bradley Taylor Eubank III, William Harold Franklin, Justin Douglas Randall, Travis Michael Thompson, Jereme Anne

**UGA-BSBE** 

Adams, Benjamin Cofield Etzel, Bryan Justin Fletcher III, William Lovett Hart, Claire Shepard Lepis, Jeffrey Marcus Morishige, Eric Sadao Patel, Mira Praful Weidner, Kristin Cadwell Whittaker, Michelle Alanna

Re-Take

Beranek, Christopher David Cross, Crystal Ann Hayes, Matthew Derek Martinez, Francisco M.

### **MERCER**

Abrams III, Nathaniel Hawthorne Adams, Dennis Eugene Souther Arhin, Benjamin Acquaah Click, Kristin Hayley Carter, Patricia Rhea Chenoweth, Stormie Cherie Davis, Roger Eugene Demas, Tariku Worku Cook, Jason Micah Dye, James William Edwards, John Daniel Drury, Danielle Nicole Gehring, Heather Michael Ellis, Matthew Neal Igunbor, Osahun Krauser, Wendy Rebecca McCarthy, Sean Michael Kubesheski, Katherine Marie McEver, Sarah Tucker Modin, Oskar Daniel McCoy, Philip Lamar Nash. Jason Mark Nathaniel, Embelakpo Noe, Jason Ted Oni, Ophelia Ama Patel, Akshay Maheshkumar Patel, Subash C. Shipley, Andrea Michelle Sahlu, Michael W. Smith, Chelsea R. Strong, Timothy Shane Taylor, Luteesa MoJonya Tefft, Robert Alan Trivedi, Rachana Bhupendra Warren, Phillip Daniel Willis, Craig Hanks

### **GEORGIA INSTITUTE OF TECHNOLOGY**

### Electrical & Computer Engineering

Patterson, Bradley James

# SOUTHERN POLYTECHNIC STATE UNIVERSITY

Bennett, Andrew J.

Mr. Dean moved to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). Dr. Ransom seconded. Motion carried.

# ? Board Memo Comity Model Law Applicants:

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law(s), are as follows:

28357 Brubaker, Gregory W	28358 Bursi, Richard C.	28359 Legrand, G. Mark
28360 Mainridge, Mark	28505 Bobo, Steven L.	28508 McInall, Steven G.
28510 Adeyemi, Oluwasegun	28511 Fulton, Thomas B	28512 Menuel, Robert M.
28513 Foster, William P.		

Mr. Armstrong moved to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(1). Dr. Ransom seconded. Motion carried.

There being no further business before the Board, Chairman Sweitzer asked for a motion to adjourn. Dr. Ransom so moved. Mr. Dean seconded. Motion carried and the meeting was adjourned at 4:00 pm. Some Board members remained to review applications until they were finished.

Board Chairman	Division Director

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